

# DEX5

**From:** [Powell, Amy \(CIV\)](#)  
**To:** [Travis Miller](#); [Yang, Catherine M \(CIV\)](#)  
**Cc:** [Brandon Johnson](#); [Carmichael, Andrew E. \(CIV\)](#); [Avallone, Zachary A. \(CIV\)](#)  
**Subject:** RE: [EXTERNAL] Coker v Austin - Comirnaty-labelled BLA doses  
**Date:** Friday, June 10, 2022 5:12:00 PM

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Travis, Brandon:

As indicated in the recent supplemental declaration, Comirnaty-labelled vaccine is now available, and Defendants now have over 35,000 doses. While it is the Defendants' position that all EUA-authorized Pfizer-BioNTech doses for adults are interchangeable for the purposes of the mandate to vaccinate, in order to address Plaintiffs' assertions they were unable to obtain a Comirnaty or BLA-manufactured doses, I wanted to confirm in writing that any of the Plaintiffs still subject to the mandate may receive the Comirnaty-labelled vaccine. If any of the Plaintiffs wish to do so, please prepare a memorandum for individual's commanding officer committing to taking one of these doses, and we will ensure the request is appropriately transmitted. Defendants can ensure that the Plaintiff be administered one of those doses. If not, please let us know that as well. This is not intended as an offer of compromise and we anticipate informing the Court of the offer and any response.

Amy

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